

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

**IN THE MATTER OF:**

**RICHARD L. HOBBS, and  
DIANA L. HOBBS  
DEBTORS.**

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**BANKRUPTCY CASE # 12-10111  
Chapter 13**

**OBJECTION TO MOTION TO DISMISS**

Come now Debtors, Richard L. Hobbs and Diana L. Hobbs, by counsel, Dennis G. Golden, and hereby object to Trustee's Motion to Dismiss, and in support of this objection state as follows:

1. Debtors have had unexpected medical expenses due to their son's food allergies and they have also experienced higher than expected transportation expenses. The extra expenses have caused Debtors to get behind on their Chapter 13 Plan payments.
2. Debtors wish to remain in their Chapter 13 Plan. Accordingly Debtors propose to cure the arrearage by paying the Chapter 13 Trustee the necessary funds from Debtors' portion of their 2013 income tax refunds. In the event the refund is insufficient to cure the arrearage, Debtors shall extend their 36 month Plan by the number of months necessary to cure the arrearage. Debtors plan to amend their Schedules as to reflect the changes in their expenses and then to reduce their Chapter 13 Plan payment accordingly so that they may keep their future Plan payments current.

WHEREFORE, Debtors pray that the Court deny Trustee's Motion to Dismiss this case, and for all other just relief in the premises.

Respectfully Submitted,

/s/ Dennis G. Golden  
Dennis G. Golden, Attorney for Debtors  
529 West Jefferson Blvd.  
Fort Wayne, IN 46802  
Tel: 260/423-4400

Certificate of Service

The undersigned does hereby certify that on the 20<sup>th</sup> day of November, 2013, he mailed a copy of the above and foregoing by United States mail, postage paid, first class, to the following:

Richard and Diana Hobbs  
106 East Main  
Larwill, IN 46764

and electronically mailed by the court's ECF system to the Chapter 13 Trustee, Debra L. Miller, and the United States Trustee, Nancy Gargula.

/s/ Dennis G. Golden